

IN THE UNITED STATES COURT OF FEDERAL CLAIMS
Bid Protest

| | | |
|----------------------------------|---|-------------|
| PlanetSpace Inc., |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 09-476C |
| |) | Judge Block |
| v. |) | |
| |) | |
| United States of America, |) | |
| |) | |
| Defendant, |) | |
| |) | |
| Space Exploration Technologies |) | |
| Corporation and Orbital Sciences |) | |
| Corporation, |) | |
| |) | |
| Defendant-Intervenors |) | |
| |) | |

**PLAINTIFF'S MOTION FOR JUDGMENT ON THE ADMINISTRATIVE
RECORD AND FOR PERMANENT INJUNCTIVE RELIEF**

Pursuant to Rules 52.1(c), 57 and 65 of the Rules of the United States Court of Federal Claims, Plaintiff PlanetSpace Inc. respectfully moves this Court for an Order entering judgment on the administrative record and granting permanent injunctive relief.

As set forth more fully in the accompanying Memorandum and supporting declarations, Defendant's source selection decision in connection with Request For Proposals ("RFP") NNJ08ZBG001R was arbitrary and capricious, contrary to law and regulation, and not in accordance with the requirements of the RFP, and there is a substantial chance PlanetSpace would have received a contract award absent any one of these violations. As also established in these materials, PlanetSpace has suffered

irreparable injury, and the balance of injuries and public interest militate strongly in favor of injunctive relief. Accordingly, Plaintiff asks that this Court grant its motion.

A proposed order is submitted herewith.

Respectfully submitted,

s/ Steven J. Rosenbaum

Steven J. Rosenbaum

Counsel of Record

Derron J. Blakely

Scott A. Freling

Covington & Burling LLP

1201 Pennsylvania Avenue, N.W.

Washington, D.C. 20044

(202) 662-5568

(202) 778-5568 fax

srosenbaum@cov.com

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Counsel for Plaintiff PlanetSpace Inc.